



**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.**

Issued by the Department of Transportation  
on the 12th day of September, 2000

In the matter of the revocation of the interstate  
scheduled passenger certificate issued to

**EASTWIND AIRLINES, INC.**

in accordance with section 204.7 of the  
Department's Regulations

Served: September 15, 2000

Docket 48742

**ORDER REVOKING CERTIFICATE AUTHORITY**

Eastwind Airlines, Inc., holds certificate authority under 49 U.S.C. 41102 to engage in interstate scheduled air transportation of persons, property, and mail.<sup>1</sup> The company conducted operations under its certificate authority until September 8, 1999, when it ceased all operations. Section 204.7 of the Department's Aviation Economic Regulations (14 CFR 204.7) provides that, if a carrier ceases conducting the operations for which it was found fit, willing and able, its authority to conduct such operations is automatically suspended. As a result of its cessation of operations, in accordance with section 204.7 of our rules, Eastwind's authority was automatically suspended.<sup>2</sup>

Section 204.7 also provides that the authority granted to an air carrier shall be terminated if the carrier has not operated for a one-year period under any authority for which it was found fit. By letter dated May 19, 2000, we reminded Eastwind of the dormancy provisions of section 204.7 of our rules, and stated that, in accordance with the rule, we would revoke its certificate authority for reason of dormancy unless before September 8, 2000, we had received notification of the carrier's intent to have its fitness redetermined and to resume operations.

To date, the carrier has not filed any notice to resume operations. Further, Eastwind has not filed any request for an exemption from the revocation-for-dormancy provisions of our rules.<sup>3</sup>

<sup>1</sup> See Order 98-7-6, served July 8, 1998. This order reissued to Eastwind the interstate scheduled certificate previously issued by Order 95-8-29 to reflect the standard condition relative to service to Love Field now used in such certificates.

<sup>2</sup> The company was notified of this suspension by letter dated September 9, 1999.

<sup>3</sup> In addition, Eastwind voluntarily surrendered its Air Carrier Operating Certificate in February 2000.

Therefore, under these circumstances and in accordance with section 204.7 of our rules, we have decided to revoke, for reason of dormancy, the section 41102 certificate issued to Eastwind authorizing it to engage in interstate scheduled passenger air transportation.<sup>4</sup>

**ACCORDINGLY**, Acting under authority assigned by the Department in its regulations, 14 CFR 385.12:

1. We revoke the interstate scheduled passenger section 41102 certificate issued to Eastwind Airlines, Inc., by Order 98-7-6 for reason of dormancy.
2. We will serve a copy of this order on the persons listed in Attachment A.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.30, may file their petitions within 10 days of the service date of this order.

The action taken in this order shall be effective immediately and the filing of a petition for review shall not alter its effectiveness.

By:

**RANDALL D. BENNETT**  
Acting Director  
Office of Aviation Analysis

(SEAL)

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<http://dms.dot.gov>*

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<sup>4</sup> Our action here is without prejudice to the company's filing for new certificate authority in the future.

**SERVICE LIST FOR EASTWIND AIRLINES, INC.**

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